



Department of Defense DIRECTIVE

NUMBER 5000.35

May 27, 1997

USD (A&T)

SUBJECT: Defense Acquisition Regulations (DAR) Management

References: (a) DoD Directive 5000.35, "Defense Acquisition Regulatory System," March 8, 1978 (hereby canceled)
(b) Federal Acquisition Regulation (FAR)
(c) Defense Federal Acquisition Regulation Supplement (DFARS)
(d) [DoD Instruction 5000.63](#), "Defense Acquisition Regulations (DAR) System," May 16, 1997
(e) through (h), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update policy and responsibilities for the management and operation of the DAR System.

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

3. DEFINITION

3.1. Regulation. Reference (b), reference (c), and any agency supplements to reference (b) or (c), including any contracting policy letters, clause books, automated systems, written instructions, or similar instruments.

4. POLICY

It is DoD policy to maintain an organized system for the development and control of procurement and contracting policies and procedures. The Director of Defense Procurement shall exercise responsibility for the DoD-wide system and for developing, coordinating, issuing and maintaining procurement and contracting policies, regulations, procedures, and forms. See reference (d).

5. RESPONSIBILITIES

The Under Secretary of Defense for Acquisition and Technology shall ensure that the Director of Defense Procurement, in accordance with references (e) through (h), shall:

5.1. Approve or disapprove, pursuant to Section 421(d) of 41 U.S.C. (reference (e)), regulations relating to procurement and contracting that are proposed by the DoD components.

5.2. Ensure compliance with publication requirements of Section 418(b) of reference (e) for DoD procurement and contracting rules, or waive these requirements in urgent and compelling circumstances.

5.3. Fulfill the responsibilities in 44 U.S.C. (reference (f)) for each information collection request imposed by a DoD procurement and contracting regulation.

5.4. Eliminate or reduce any redundant or unnecessary levels of review and approval in the DoD procurement and contracting system.


5.5. Act for the Secretary of Defense and the Under Secretary of Defense for Acquisition and Technology in the administration of the FAR (reference (b)) and any supplementing DoD regulations; serve as the Department of Defense's representative on the Federal Acquisition Regulatory Council; and issue and maintain reference (b), in accordance with Subsection 421(f) of reference (e) and in conjunction with the General Services Administration and the National Aeronautics and Space Administration.

5.6. Ensure that DoD procurement and contracting regulations are consistent with reference (b), and any that are redundant with reference (b) or are otherwise unnecessary are eliminated.

5.7. Serve as the approval authority in the Department of Defense for any reference (b) or (c) class deviations, and for all DoD individual reference (b) or (c) deviations in the categories in Part 201 of reference (c).

6. EFFECTIVE DATE.

This Directive is effective immediately.



John P. White
Deputy Secretary of Defense

Enclosures - 1

1. References

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Chapter 7 of title 41, United States Code, "Office of Federal Procurement Policy"
- (f) Chapter 35 of title 44, United States Code, "Coordination of Federal Information Policy"
- (g) DoD Directive 5134.1, "Under Secretary of Defense for Acquisition and Technology (USD(A&T))," June 8, 1994
- (h) Under Secretary of Defense for Acquisition (USD(A)) Memorandum, "Delegations of Authority," April 10, 1991